

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
v.	:	CRIMINAL NO. 12-367
DOROTHY JUNE BROWN	:	

ORDER

AND NOW, this day of _____, 2014, upon consideration of the Government's Motion for a Custodial Examination, and the Defendant's Response, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that:

- 1) The defendant is committed to the custody of the Attorney General, for placement in a suitable facility to be examined for a reasonable period not to exceed thirty days, to determine under 18 U.S.C. § 4241 whether the defendant is suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense.
- 2) Upon completion of the evaluation and receipt of the report of the evaluation, the Court will schedule a hearing on the issue of the defendant's competency.

BY THE COURT:

HONORABLE R. BARCLAY SURRICK
Judge, United States District Court

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**GOVERNMENT'S MOTION FOR A CUSTODIAL EXAMINATION PURSUANT TO
18 U.S.C. § 4247(b)**

The United States of America, by its attorneys, Zane David Memeger, United States Attorney for the Eastern District of Pennsylvania, and Joan E. Burnes and Frank R. Costello, Jr., Assistant United States Attorneys, respectfully submits the following motion for a custodial examination pursuant to 18 U.S.C. § 4247(b).

- 1) The trial of defendant Dorothy June Brown was originally scheduled to commence on September 8, 2014. On September 2, 2014, counsel for the defendant filed a motion for a competency hearing pursuant to 18 U.S.C. § 4241, which the government did not oppose.
- 2) On September 5, 2014, the Court granted the motion, ordered the defendant to submit to a psychiatric and mental competency evaluation by Dr. Pogos H. Voskanian, ordered that a competency hearing be scheduled upon completion of the evaluation, and continued the trial.
- 3) On September 8, 2014, the Court ordered the defendant to submit to an additional psychological evaluation and testing by Jeffrey Summerton, Ph.D.
- 4) Section 4247(b) of Title 18 provides, in pertinent part, that:

(b) Psychiatric or psychological examination . . . For the purposes of an examination pursuant to an order under section 4241 . . . the court may commit the person to be examined for a reasonable period, but not to

exceed thirty days . . . to the custody of the Attorney General for placement in a suitable facility. Unless impracticable, the psychiatric or psychological examination shall be conducted in the suitable facility closest to the court. The director of the facility may apply for a reasonable extension, but not to exceed fifteen days under section 4241 . . . upon a showing of good cause that the additional time is necessary to observe and evaluate the defendant.

5) Based on the information obtained to date, the government requests, pursuant to 18 U.S.C.

§ 4247(b), that the Court commit the defendant to the custody of the Attorney General for placement in a suitable facility to be examined for a reasonable period not to exceed thirty days.

Respectfully submitted,

ZANE DAVID MEMEGER
United States Attorney

_____/s/ Joan E. Burnes_____
JOAN E. BURNES
FRANK R. COSTELLO, JR.
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion for a Custodial Examination was served by ECF on:

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Dated: September 22, 2014